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Date: JUNE 14, 2005

To: EXAMINER KANG, INSUN
U.S. PATENT AND TRADEMARK OFFICE
Fax #:

From: FRANK C. NICHOLAS
Phone #: (847) 424-2521

Client/Matter No.: AUS920010913US1 (9000/80)

of Pages: 14
(including cover sheet)

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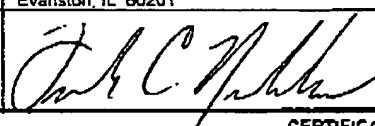
TRANSMITTAL FORM		Attorney Docket No	AUS920010913US1 (9000/80)
(To be used for all correspondence after March 1999)		Application Number	10/045,321
		Filing Date	JANUARY 10, 2002
		First Named Inventor	CHRISTOPHER M. MORRISSEY
		Group Art Unit	2193
		Examiner	KANG, INSLIN

ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Response and Amendment to Office Action Dated March 24, 2005 <input type="checkbox"/> After Final <input type="checkbox"/> Antidevita/declaration(s) <input type="checkbox"/> Status Letter <input type="checkbox"/> Extension of Time Request (duplic) <input type="checkbox"/> Express AD&Oment Under 37 CFR 1.138 <input type="checkbox"/> Information Disclosure Statement, PTO-1449, art <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ incomplete Application	<input type="checkbox"/> Assignment Papers <input type="checkbox"/> Drawings <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Petition Under 37 CFR 1.137(c) to Withdraw Holding of Abandonment <input type="checkbox"/> Request or Refund	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	<input type="checkbox"/> Proprietary Information
		<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	<input type="checkbox"/> Post Card Receipt
		<input type="checkbox"/> Additional Enclosure(s) (please identify below):	
		<input type="checkbox"/>	
		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No <u>09-0447</u> (IBM Corporation). A duplicate copy of this sheet is enclosed.	
		<input checked="" type="checkbox"/> I hereby petition under 37 CFR § 1.136(e) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No <u>09-0447</u> (IBM Corporation). A duplicate copy of this sheet is enclosed.	

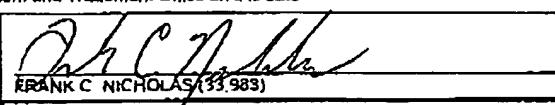
CALCULATION OF FEE

	Claims After Amendment		Highest No Previously Paid For	Present Extra	Small Entity		Large Entity	
Total		Minus		0	Rate	Add'l Fee	Rate	Add'l Fee
indep.		Minus		0	x \$25=	0	x \$50=	
First Presentation of Multiple Dep. Claim					x \$100=	0	x \$200=	
					x \$180=	—	x \$360=	
					Total add'l fee	\$ 0	Total add'l fee	\$ 0

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	FRANK C. NICHOLAS Registration No 33,983 CARDINAL LAW GROUP 1603 Orrington Avenue, Suite 2000 Evanston, IL 60201		
Signature			Date: <u>June 14, 2005</u>

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to (703) 872-8308 to the United States Patent and Trademark Office on this date		
<u>June 14, 2005</u>		
Signature		
FRANK C. NICHOLAS (33,983)		Date: <u>June 14, 2005</u>

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TRANSMITTAL FORM		Attorney Docket No	AUS920010913US1 (8000/80)
		Application Number	10/045,321
		Filing Date	JANUARY 10, 2002
		First Named Inventor	CHRISTOPHER M MORRISSEY
		Group Art Unit	2183
		Examiner	KANG, INSUN

(TO BE USED FOR OUR CORRESPONDENCE AFTER INITIAL FILING)

ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Response and Amendment to Office Action Dated March 24, 2005 <input type="checkbox"/> After Final <input type="checkbox"/> Attestation/Declaration(s) <input type="checkbox"/> Status Letter <input type="checkbox"/> Extension of Time Request (duplic) <input type="checkbox"/> Express Abandonment Under 37 CFR 1.138 <input type="checkbox"/> Information Disclosure Statement, PTO-1449, att <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
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	<input type="checkbox"/> To Convert 3 Provisional Application	<input type="checkbox"/> Additional Enclosure(s) (please identify below)	
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	<input type="checkbox"/> Petition Under 37 CFR 1.137(c) to Withdraw Holding of Abandonment	<input type="checkbox"/>	
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	<input type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No <u>09-0447</u> (IBM Corporation). A duplicate copy of this sheet is enclosed	<input type="checkbox"/>	
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	Claims After Amendments		Highest No Previously Paid For	Present Extra	Small Entity		Large Entity	
					Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus		0	+\$25=	0	+\$50=	
Indep		Minus		0	+\$100=	0	+\$200=	
First Presentation of Multiple Dep. Claim					+\$180=	***	+\$360=	
					Total Add'l Fee	\$ 0	Total Add'l Fee	\$ 0

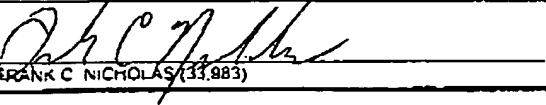
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	FRANK C NICHOLAS Registration No. 33,983 CARDINAL LAW GROUP 1603 Orrington Avenue, Suite 2000 Evanston, IL 60201		
Signature	 Date <u>June 14 2005</u>		

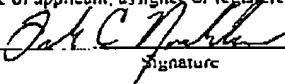
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June 14 2005

Signature		Date <u>June 14 2005</u>
FRANK C NICHOLAS (33,983)		

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FRANK C. NICHOLAS (33,981)
Name of applicant, assignee or registered representative

Signature
June 14, 2005
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PATENT
Case No. AUS920010913US1
(9000/80)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
CHRISTOPHER M. MORRISSEY, ET. AL)
Serial No.: 10/045,321) Examiner: KANG, INSUN
Filed: JANUARY 10, 2002) Group Art Unit: 2193
Title: METHOD AND SYSTEM FOR)
AUTOMATIC SELECTION OF A)
TEST SYSTEM IN A NETWORK)
ENVIRONMENT)

RESPONSE AND AMENDMENT
TO OFFICE ACTION DATED MARCH 24, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a response to an Office Action dated March 24, 2005.